

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

|                               |   |                     |
|-------------------------------|---|---------------------|
| LISA VANDERVELDEN,            | ) |                     |
|                               | ) |                     |
| Plaintiff,                    | ) |                     |
|                               | ) |                     |
| v.                            | ) | Case No. 18-cv-1333 |
|                               | ) |                     |
| THE UNITED STATES OF AMERICA, | ) |                     |
|                               | ) |                     |
| Defendant.                    | ) |                     |

**COMPLAINT**

**JURISDICTION**

Jurisdiction lies pursuant to the Federal Tort Claims Act, Title 28 U.S.C. § 2674. The administrative exhaustion requirement of the Federal Tort Claims Act has been satisfied as more than six months have elapsed from November 30, 2017, the date this claim was presented in writing to the Department of Health and Human Services.

**COUNT I**

(Negligence v. United States of America)

Comes now the plaintiff, Lisa Vandervelden, by and through her attorney, **Thomas Q. Keefe, Jr., KEEFE, KEEFE & UNSELL, P.C.**, and for Count I of her Complaint against the defendant, UNITED STATES OF AMERICA, states:

1. That Southern Illinois Healthcare Foundation was at all times herein mentioned an agency of the United States of America.

2. That at all times herein mentioned, Dr. Imran Khan was an agent, apparent agent, servant, and employee of Defendant.

3. That from on or about January 2017 to August 2017, Defendant, by and through its agents, apparent agents, servants, and employees, assumed the care of Lisa Vandervelden for oral pain, swelling, and ulcer.

4. That Defendant, individually and by and through its agents, apparent agents, servants, and employees was guilty of one or more of the following negligent acts or omissions:

- a) Negligently and carelessly failed to recognize the signs, symptoms, and/or precursors of oral cancer;
- b) Negligently and carelessly failed to timely refer, prescribe, perform, or order appropriate treatment for the oral ulcer;
- c) Negligently and carelessly failed to timely refer, prescribe, perform, or order appropriate diagnostic testing;
- d) Negligently and carelessly failed to schedule or obtain appropriate consultation to permit timely diagnosis and treatment;

- e) Negligently and carelessly failed to timely diagnose precancerous or cancerous oral ulcer.

5. That as a direct and proximate result of the negligence of Defendant as aforesaid, Plaintiff's condition went undiagnosed and untreated, developed, and spread. She has suffered permanent pain, mental anguish, disability and disfigurement, loss of enjoyment in a normal life, has been prevented from attending to her usual affairs and duties, and has incurred large sums of money in hospital, medical, and related expenses, and will incur additional sums in the future, all to her damage in a substantial amount.

WHEREFORE, Plaintiff demands judgment against Defendant in the amount of TWENTY-FIVE MILLION DOLLARS (\$25,000,000.00), plus costs.

/s/ Thomas Q. Keefe, Jr.  
THOMAS Q. KEEFE, JR.  
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Attorney for Plaintiff

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